



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Transmittal Cover Sheet

Application Serial No: 10/017,445 Confirmation No.: 6377
Date Filed: December 14, 2001
Application Title: Methods For Determining Organisms Not Requiring The
Separation Of Fixative Or Excess Probe
Applicants: Rigby et al.
Group Art Unit: 1634
Examiner: Sally A. Sakelaris
Action Date: November 19, 2003
Action Type: Second Office Action On Merits -FINAL
Certified Mail No: 7003 1680 0001 6779 2056

Certificate of Mailing Pursuant to:
37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Box AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 30th day of April, 2004.

Brian D. Gildea
Reg. No. 39,995

Commissioner for Patents

Enclosed herewith, please find the following documents and sheets.

1. Petition Under 37 C.F.R. § 1.136(a) for a three-month extension of time.
2. Notice of Appeal
3. Response to the Office Action mailed on November 19, 2003.

Respectfully submitted
On behalf of Applicants,

Brian D. Gildea; Reg. No. 39,995

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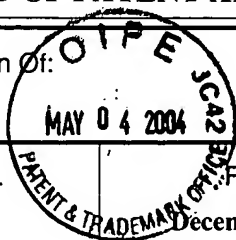
IFW \$AE 1634

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No. **BP0003-US**

In Re Application Of:

Rigby et al.



Serial No.
10/017,445

Filing Date
December 14, 2001

Examiner
Sally A. Sakelaris

Group Art Unit
1634

Invention:

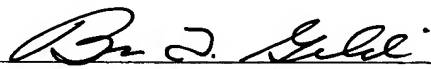
Methods For Determination Organisms Not Requiring The Separation Of Fixative Or Excess Probe

TO THE COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **November 19, 2003** finally rejecting Claim(s) **1-21**

The fee for this Notice of Appeal is: **\$330.00**

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **023240**

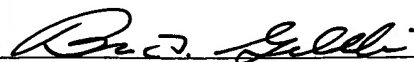

Signature

Dated: **April 30, 2004**

05/05/2004 HGBREM1 00000063 023240 10017445

01 FC:1401 330.00 DA

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Signature of Person Mailing Correspondence

Brian D. Gildea, Reg. No. 39,995

Typed or Printed Name of Person Mailing Correspondence

CC: